

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

CARLOS MANRIQUEZ-AVILES, JORGE
ANTONIO ALONZO-LOPEZ, ROMAN
LAZCANO-ACOSTA, AMERICA
SAUCEDO-MORENO, and LOURDES
PEREZ-SAUCEDO,

Defendants.

8:17CR375

MEMORANDUM AND ORDER

This matter came before the Court on July 30, 2018, for a Rule 17.1 Conference. Assistant United States Attorney Christopher L. Ferretti was present for the government. Attorneys Joshua W. Weir, Michael J. Decker, A. Michael Bianchi, Casey J. Quinn, and Beau G. Finley, were present for the individual Defendants, each of whom were excused from appearing. The scheduling of the trial in this matter was discussed, including requested deadlines for the preparation of transcripts of various translated intercepted communications and objections to the transcripts and/or summaries as trial exhibits, as well as the matter of trial stipulations.

The trial is scheduled to commence on October 15, 2018, and previous deadlines have been set (Doc. Nos. 90, 93). The request for the setting of additional deadlines was unopposed by the Defendants. In addition to the reasons previously announced by the Court (Doc. No. 93), and in accordance with 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice will be served by granting the continuance and outweigh the interests of the public and the Defendants in a speedy trial. In the interest of justice, the time between today's date, and the trial in this matter, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. This case was previously designated as complex, due to the number of defendants, and it is unreasonable to expect adequate preparation for trial within the statutory time limits; and failure to grant a continuance would otherwise deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) and (B)(ii), (iv).

Accordingly,

IT IS ORDERED:

1. The trial of Defendants remains set for October 15, 2018;
2. The time between today's date, and the trial in this matter, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act;
3. The government, unless otherwise ordered by the Court, shall provide to each of the Defendants transcripts of the various translated intercepted communications and/or summaries that it intends to use as trial exhibits by August 31, 2018;
4. Each Defendant, unless otherwise ordered by the Court, shall advise the government of any objections to any transcripts of various translated intercepted communications and/or summaries as trial exhibits by October 5, 2018;
5. On or before October 5, 2018, the parties shall agree upon any trial stipulations regarding chain of custody or purity as to controlled substance evidence, or otherwise; and
6. The parties shall request another 17.1 Conference before the Court if necessary to promote a fair and expeditious trial.

Dated this 30th day of July, 2018.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge